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H I P A A l e r t - lite -- August 27, 2002

>>From Phoenix Health Systems--HIPAA Knowledge--HIPAA Solutions<<
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HIPAAlatest -- additions to HIPAAadvisory.com

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H I P A A n e w s

*** CMS Urges Covered Entities to File for TCS Extension ASAP ***

AHANews reports the Centers for Medicare & Medicaid Services (CMS) announced yesterday that of all covered entities under HIPAA, less than 3% have filed for an extension to the Transaction and Code Sets Standards compliance deadline of October 16 - just under 50 days away. In a statement, Ruben King-Shaw Jr., CMS chief operating officer, reminded hospitals that the Administrative Simplification

Compliance Act (ASCA) allows covered entities a one-year extension, as long as they submit a compliance plan by October 15.

Read more: <http://www.hipaadvisory.com/news/index.cfm#0827cms>

*** Privacy Furor Over Subpoena in Baby's Death ***

Seeking leads in the death of a newborn baby found in May, the county attorney for Storm Lake, Iowa subpoenaed the names of hundreds of women who had pregnancy tests at a local Planned Parenthood clinic. On August 7, the Iowa Supreme Court granted Planned Parenthood of Greater Iowa its motion for a temporary stay against the subpoena issued by officials in Buena Vista County. County officials had until August 19 to file a response to the appeal petition. The New York Times reports the county attorney said the questions had to be asked in order to conduct an investigation. The executive director for Planned Parenthood of Greater Iowa calls the subpoena "a horrible assault to a young woman's sense of privacy."

Read more: <http://www.hipaadvisory.com/news/index.cfm#0826nyt>

*** Another HIPAA Privacy Lawsuit Dismissed ***

A federal judge has dismissed a lawsuit filed by the South Carolina Medical Association (SCMA) and a Louisiana state medical society challenging the privacy rule's constitutionality. According to the SCMA, the court ruled on August 14 that although Congress did not specify privacy rights and policies in the privacy section of the statute, general congressional intent could be gleaned from the statutory framework as a whole, that HHS was within its discretion to draft a very broad rule, and that a person of normal intelligence could ascertain from the 400-page regulation what was criminally punishable and which state laws would be preempted by the federal regulations. The SCMA is studying the viability of an appeal. Last week, the SCMA Executive Committee voted to appeal the US District Court's decision in the SCMA's suit against HHS.

*** VA Toughens Security After PC Disposal Blunders ***

Federal Computer Week reports the Department of Veterans Affairs (VA) is tightening its policy on the disposal of old computers following disclosures that 139 computers containing sensitive personal information about veterans, including their medical records, were given away. Although the VA has had security rules since 1997 on purging sensitive data before disposing of old computers, the policy was breached by the Indianapolis VA Medical Center. The facility failed to erase personal information before giving away the computers to educational institutions, the state of Indiana or private individuals. A local TV news team's investigation found patient records on the used computers bought for \$10 each at a thrift store.

Read more: <http://www.hipaadvisory.com/news/index.cfm#0826fcw>

*** CA Approves Bill Expanding Medical Privacy to Drug Firms ***

The California Senate approved legislation last week that would hold pharmaceutical companies to the same standards of privacy for patients' medical information as physicians, health insurance companies and pharmacists, reports iHealthBeat. The bill would amend the existing Confidentiality of Medical Information Act, which currently only applies to health care providers and health plans, to include pharmaceutical companies.

Read more: <http://www.hipaadvisory.com/news/index.cfm#0821ihb>

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H I P A A l a t e s t

NEW IN HIPAAzine: AOL Gets the Message

* <http://www.hipaadvisory.com/news/HIPAAzine.htm#082602fcw>

NEW IN HIPAAAction > HIPAAcompliance >

* Specific Groups: Family Physicians

<http://www.hipaadvisory.com/compliance/specific.htm#family>

NEW ON the Calendar:

* More conferences & workshops this Fall:

<http://www.hipaadvisory.com/news/calendar/index.htm>

NEW IN HIPAAregs >

* The final Privacy Rule: HTML version divided by subject, analysis, reactions, & much more!

<http://www.hipaadvisory.com/regs/finalprivacymod/index.htm>

TAKE OUR HIPAAQuikPoll:

* Do you think the marketing provisions in the final final Privacy Rule are sufficient to ensure patient privacy?

<http://www.hipaadvisory.com/index.cfm#poll>

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Check out our new GUIDE TO MEDICAL PRIVACY AND HIPAA --

a comprehensive, 500-page reference on HIPAA how-to's across EVERY compliance phase. Includes:

- * user-friendly analysis and advice by legal & consulting experts
- * sample forms, checklists, workplans, and more
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For more information, go to:

<http://www.hipaadvisory.com/wares/HIPAAbook.htm>

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HIPAAalert-lite is our weekly version of HIPAAalert, Phoenix Health Systems' acclaimed monthly email newsletter.

Our Other HIPAA resources:

HIPAAAdvisory web site: <http://www.hipaadvisory.com>

HIPAAnotes Weekly Byte of HIPAA: <http://www.hipaadvisory.com/notes/>

HIPAAlive Discussion List: <http://www.hipaadvisory.com/live/>

HIPAAlive-Premium: <http://www.hipaadvisory.com/live/prem.htm>

HIPAAlive Doc Site: <http://www.hipaadvisory.com/MembersOnlySignup/>

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